

## Office of Workers' Compensation Programs, Labor

## § 722.2

(1) For arterial blood-gas studies performed at test sites up to 2,999 feet above sea level:

Arterial PCO2 (mm Hg)	Arterial PO2 equal to or less than (mm Hg)
25 or below .....	75
26 .....	74
27 .....	73
28 .....	72
29 .....	71
30 .....	70
31 .....	69
32 .....	68
33 .....	67
34 .....	66
35 .....	65
36 .....	64
37 .....	63
38 .....	62
39 .....	61
40-49 .....	60
Above 50 .....	( <sup>1</sup> )

<sup>1</sup> Any value.

(2) For arterial blood-gas studies performed at test sites 3,000 to 5,999 feet above sea level:

Arterial PCO2 (mm Hg)	Arterial PO2 equal to or less than (mm Hg)
25 or below .....	70
26 .....	69
27 .....	68
28 .....	67
29 .....	66
30 .....	65
31 .....	64
32 .....	63
33 .....	62
34 .....	61
35 .....	60
36 .....	59
37 .....	58
38 .....	57
39 .....	56
40-49 .....	55
Above 50 .....	( <sup>2</sup> )

<sup>2</sup> Any value.

(3) For arterial blood-gas studies performed at test sites 6,000 feet or more above sea level:

Arterial PCO2 (mm Hg)	Arterial PO2 equal to or less than (mm Hg)
25 or below .....	65
26 .....	64
27 .....	63
28 .....	62
29 .....	61
30 .....	60
31 .....	59
32 .....	58
33 .....	57
34 .....	56
35 .....	55

Arterial PCO2 (mm Hg)	Arterial PO2 equal to or less than (mm Hg)
36 .....	54
37 .....	53
38 .....	52
39 .....	51
40-49 .....	50
Above 50 .....	( <sup>3</sup> )

<sup>3</sup> Any value.

[65 FR 80045, Dec. 20, 2000, as amended at 78 FR 59115, Sept. 25, 2013]

## PART 722—CRITERIA FOR DETERMINING WHETHER STATE WORKERS' COMPENSATION LAWS PROVIDE ADEQUATE COVERAGE FOR PNEUMOCONIOSIS AND LISTING OF APPROVED STATE LAWS

Sec.

722.1 Purpose.

722.2 Definitions.

722.3 General criteria; inclusion in and removal from the Secretary's list.

722.4 The Secretary's list.

AUTHORITY: 5 U.S.C. 301, Reorganization Plan No. 6 of 1950, 15 FR 3174, 30 U.S.C. 901 *et seq.*, 921, 932, 936; 33 U.S.C. 901 *et seq.*, Secretary's Order 7-87, 52 FR 48466, Employment Standards Order No. 90-02.

SOURCE: 65 FR 80053, Dec. 20, 2000, unless otherwise noted.

### § 722.1 Purpose.

Section 421 of the Black Lung Benefits Act provides that a claim for benefits based on the total disability or death of a coal miner due to pneumoconiosis must be filed under a State workers' compensation law where such law provides adequate coverage for pneumoconiosis. A State workers' compensation law may be deemed to provide adequate coverage only when it is included on a list of such laws maintained by the Secretary. The purpose of this part is to set forth the procedures and criteria for inclusion on that list, and to provide that list.

### § 722.2 Definitions.

(a) The definitions and use of terms contained in subpart A of part 725 of this title shall be applicable to this part.

(b) For purposes of this part, the following definitions apply: